

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

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No: 16-3118

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Michelle Day, Administrator of the Estate and on Behalf of the Wrongful Death Beneficiaries of  
James Avery Deweese Sr.; Ruth Deweese, Individually; Michelle Day, Individually

Plaintiffs - Appellants

v.

United States of America

Defendant - Appellee

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Appeal from U.S. District Court for the Eastern District of Arkansas - Little Rock  
(4:14-cv-00342-KGB)

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**JUDGMENT**

Before LOKEN, MURPHY and MELLOY, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

August 01, 2017

Order Entered in Accordance with Opinion:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans



16-3118 Michelle Day, et al v. United States "judgment filed sua sponte affirmed" (4:14-cv-00342-KGB)  
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### **Eighth Circuit Court of Appeals**

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The following transaction was filed on 08/01/2017

**Case Name:** Michelle Day, et al v. United  
States

**Case Number:** [16-3118](#)

**Document(s):** [Document\(s\)](#)

#### **Docket Text:**

**JUDGMENT FILED** - The judgment of the Originating Court is AFFIRMED in accordance with the opinion. JAMES B. LOKEN, DIANA E. MURPHY and MICHAEL J. MELLOY Hrg June 2017 [4563273] [16-3118] (Catherine Dolan)

#### **Notice will be electronically mailed to:**

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The following document(s) are associated with this transaction:

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81e46a90ae03fe2991a7984455b8e2df7c31ecb4bdab5547]]

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The following information is for the use of court personnel:

**DOCKET ENTRY ID:** 4563273

**RELIEF(S) DOCKETED:**

affirmed

**DOCKET PART(S) ADDED:** 5858996, 5858997, 5858998